

By: Watson

S.B. No. 1487

A BILL TO BE ENTITLED

AN ACT

relating to the abandonment of a county road.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 251.057 (b), Transportation Code, is amended to read as follows:

Sec. 251.057. Abandonment of County Road. (a) A county road is abandoned when its use has become so infrequent that one or more adjoining property owners have enclosed the road with a fence continuously for at least 20 years. The abandoned road may be reestablished as a public road only in the manner provided for establishing a new road.

(b) This section does not apply to:

(1) a road to a cemetery unless an adjoining property owner files an affidavit in the deed records, at any time after the expiration of the 20-year period provided in subsection (a), agreeing to provide reasonable access to the cemetery pursuant to Health & Safety Code Section 711.92 as it existed on September 1, 2013; or

(2) an access road that is reasonably necessary to reach adjoining real property.

Section 2. This Act takes affect September 1, 2013.